

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

KNOX TRAILERS, INC., and POST
TRAILER REPAIRS, INC.,

Plaintiffs,

v.

BILLY MAPLES, individually and d/b/a
TITAN TRAILERS REPAIR & SALES,
LLC, AMANDA MAPLES, and TITAN
TRAILER REPAIR & SALES, LLC,

Defendants.

Case No. 3:20-cv-137

Judge Travis R. McDonough

Magistrate Judge Debra C. Poplin

VERDICT FORM

MISAPPROPRIATION OF TRADE SECRETS – KNOX TRAILERS

QUESTION NO. 1: Do you find by a preponderance of the evidence that Billy Maples misappropriated Knox Trailers' trade secrets?

Yes: X

No:

If you answered "Yes" to Question No. 1, proceed to Question No. 2. If you answered "No" to Question No. 1, skip Questions No. 2 and No. 2(A), and proceed to Question No. 3.

QUESTION NO. 2: Do you find by a preponderance of the evidence that Billy Maples was unjustly enriched in connection with Billy Maples's misappropriation of Knox Trailers' trade secrets?

Yes: X

No:

If you answered "Yes" to Question No. 2, proceed to Question No. 2(A). If you answered "No" to Question No. 2, skip Question No. 2(A), and proceed to Question No. 3.

QUESTION NO. 2(A): If you answered "Yes" to Question No. 2, how much do you award Knox Trailers?

UNJUST ENRICHMENT: \$ 30,000.00

Regardless of your answer to Question No. 2(A), proceed to Question No. 3.

QUESTION NO. 3: Do you find by a preponderance of the evidence that Titan Trailers misappropriated Knox Trailers' trade secrets?

Yes: _____

No: X _____

If you answered "Yes" to Question No. 3, proceed to Question No. 4. If you answered "No" to Question No. 3, skip Questions No. 4 and No. 4(A), and proceed to Question No. 5.

QUESTION NO. 4: Do you find by a preponderance of the evidence that Titan Trailers was unjustly enriched as a result of Titan Trailers' misappropriation of Knox Trailers' trade secrets?

Yes: _____

No: _____

If you answered "Yes" to Question No. 4, proceed to Question No. 4(A). If you answered "No" to Question No. 4, skip Question No. 4(A), and proceed to Question No. 5.

QUESTION NO. 4(A): If you answered "Yes" to Question No. 4, how much do you award Knox Trailers?

UNJUST ENRICHMENT: \$ _____

Regardless of your answer to Question No. 4(A), proceed to Question No. 5.

MISAPPROPRIATION OF TRADE SECRETS – POST TRAILER

QUESTION NO. 5: Do you find by a preponderance of the evidence that Billy Maples misappropriated Post Trailer's trade secrets?

Yes: _____

No: X

Regardless of your answer to Question No. 5, proceed to Question No. 6.

QUESTION NO. 6: Do you find by a preponderance of the evidence that Titan Trailers misappropriated Post Trailer's trade secrets?

Yes: _____

No: X

Regardless of your answer to Question No. 6, proceed to Question No. 7.

BREACH OF FIDUCIARY DUTY- KNOX TRAILERS

QUESTION NO. 7: Do you find by a preponderance of the evidence that Billy Maples breached his duty of loyalty to Knox Trailers?

Yes: X

No: _____

If you answered "Yes" to Question No. 7, proceed to Question No. 8. If you answered "No" to Question No. 7, skip Questions No. 8 and No. 8(A), and proceed to Question No. 9.

QUESTION NO. 8: Do you find by a preponderance of the evidence that Knox Trailers is entitled to damages for Billy Maples's breach of his duty of loyalty to Knox Trailers?

Yes: X

No: _____

If you answered "Yes" to Question No. 8, proceed to Question No. 8(A). If you answered "No" to Question No. 8, skip Question No. 8(A), and proceed to Question 9.

QUESTION NO. 8(A): If you answered "Yes" to Question No. 8, how much do you award Knox Trailers in damages for each category below?

OBTAINING UNAUTHORIZED HEALTH INSURANCE:

\$ 0

INAPPROPRIATELY CHARGING EXPENSES TO THE COMPANY CREDIT CARDS:

\$ 0

DIVERTING REVENUE FROM SALE OF USED PARTS:

\$ 7,500.00

TAKING UNAUTHORIZED BONUSES:

\$ 0

SOLICITING PLAINTIFFS' EMPLOYEES AND CUSTOMERS TO LEAVE FOR A COMPETITOR:

\$ 0

SOLICITING PLAINTIFFS' VENDORS TO LEAVE FOR A COMPETITOR:

\$ 0

RECEIVING SALARY FROM KNOX TRAILERS OR USING KNOX TRAILERS' NON-INFORMATION PROPERTY FOR EFFORTS IN FAVOR OF TITAN'S COMPETITIVE INTERESTS:

\$ 20,000.00

Regardless of your answer to Question No. 8(A), proceed to Question No. 9.

BREACH OF FIDUCIARY DUTY- POST TRAILER

QUESTION NO. 9: Do you find by a preponderance of the evidence that Billy Maples breached his duty of loyalty to Post Trailer?

Yes: _____

No: X

If you answered "Yes" to Question No. 9, proceed to Question No. 10. If you answered "No" to Question No. 9, skip Questions No. 10 and No. 10(A), and proceed to Question No. 11.

QUESTION NO. 10: Do you find by a preponderance of the evidence that Post Trailer is entitled to damages for Billy Maples's breach of his duty of loyalty to Post Trailer?

Yes: _____

No: _____

If you answered "Yes" to Question No. 10, proceed to Question No. 10(A). If you answered "No" to Question No. 10, skip Question No. 10(A), and proceed to Question 11.

QUESTION NO. 10(A): If you answered "Yes" to Question No. 10, how much do you award Post Trailer in damages for the category below?

INAPPROPRIATELY CHARGING EXPENSES TO THE COMPANY CREDIT CARDS:
\$ _____

Regardless of your answer to Question No. 10(A), proceed to Question No. 11.

QUESTION NO. 11: Do you find by a preponderance of the evidence that Amanda Maples breached her duty of loyalty to Post Trailer?

Yes: _____

No: X _____

If you answered "Yes" to Question No. 11, proceed to Question No. 12. If you answered "No" to Question No. 11, skip Questions No. 12 and No. 12(A), and proceed to Question No. 13.

QUESTION NO. 12: Do you find by a preponderance of the evidence that Post Trailer is entitled to damages for Amanda Maples's breach of her duty of loyalty to Post Trailer?

Yes: _____

No: _____

If you answered "Yes" to Question No. 12 proceed to Question No. 12(A). If you answered "No" to Question No. 12, skip Question No. 12(A), and proceed to Question 13.

QUESTION NO. 12(A): If you answered "Yes" to Question No. 12, how much do you award Post Trailer in damages for each category below?

OBTAINING UNAUTHORIZED HEALTH INSURANCE:

\$ _____

Regardless of your answer to Question No. 12(A), proceed to Question No. 13.

CONVERSION- KNOX TRAILERS

QUESTION NO. 13: Do you find by a preponderance of the evidence that Billy Maples converted Knox Trailers' property?

Yes: _____

No: X

If you answered "Yes" to Question No. 13, proceed to Question No. 13(A). If you answered "No" to Question No. 13, skip Question No. 13(A), and proceed to Question No. 14.

QUESTION NO. 13(A): If you answered "Yes" to Question No. 13, how much do you award Knox Trailers in damages for each category below?

OBTAINING UNAUTHORIZED HEALTH INSURANCE:

\$ _____

INAPPROPRIATELY CHARGING EXPENSES TO THE COMPANY CREDIT CARDS:

\$ _____

DIVERTING REVENUE FROM SALE OF USED PARTS:

\$ _____

TAKING UNAUTHORIZED BONUSES:

\$ _____

RECEIVING SALARY FROM KNOX TRAILERS OR USING KNOX TRAILERS' NON-INFORMATION PROPERTY FOR EFFORTS IN FAVOR OF TITAN'S COMPETITIVE INTERESTS:

\$ _____

Regardless of your answer to Question No. 13(A), proceed to Question No. 14

QUESTION NO. 14: Do you find by a preponderance of the evidence that Titan Trailers converted Knox Trailers' property?

Yes: _____

No: X

If you answered "Yes" to Question No. 14, proceed to Question No. 14(A). If you answered "No" to Question No. 14, skip Question No. 14(A), and proceed to Question No. 15.

QUESTION NO. 14(A): If you answered "Yes" to Question No. 14, how much do you award Knox Trailers in damages?

LOSS OF BENEFIT OF SALARY PAID BY KNOX TRAILERS FOR EMPLOYEE TIME OR
VALUE OF USE OF KNOX TRAILERS' NON-INFORMATION PROPERTY USED FOR
TITAN'S COMPETITIVE INTERESTS:

\$ _____

Regardless of your answer to Question No. 14(A), proceed to Question No. 15.

CONVERSION- POST TRAILER

QUESTION NO. 15: Do you find by a preponderance of the evidence that Billy Maples converted Post Trailer's property?

Yes: _____

No: X

If you answered "Yes" to Question No. 15, proceed to Question No. 15(A). If you answered "No" to Question No. 15, skip Question No. 15(A), and proceed to Question No. 16.

QUESTION NO. 15(A): If you answered "Yes" to Question No. 15, how much do you award Post Trailer in damages for the category below?

INAPPROPRIATELY CHARGING EXPENSES TO THE COMPANY CREDIT CARDS:

\$ _____

TAKING UNAUTHORIZED BONUSES:

\$ _____

Regardless of your answer to Question No. 15(A), proceed to Question No. 16.

QUESTION NO. 16: Do you find by a preponderance of the evidence that Titan Trailers converted Post Trailer's property?

Yes: _____

No: X

If you answered "Yes" to Question No. 16, proceed to Question No. 16(A). If you answered "No" to Question No. 16, skip Question No. 16(A), and proceed to Question No. 17.

QUESTION NO. 16(A): If you answered “Yes” to Question No. 16, how much do you award Post Trailer in damages?

LOSS OF BENEFIT OF SALARY PAID BY POST TRAILER FOR EMPLOYEE TIME OR
VALUE OF USE OF POST TRAILER’S NON-INFORMATION PROPERTY USED FOR
TITAN’S COMPETITIVE INTERESTS:

\$ _____

Regardless of your answer to Question No. 16(A), proceed to Question No. 17.

UNFAIR COMPETITION – KNOX TRAILERS

QUESTION NO. 17: Do you find by a preponderance of the evidence that Billy Maples engaged in unfair competition with Knox Trailers?

Yes: _____

No: X

If you answered “Yes” to Question No. 17, proceed to Question No. 17(A). If you answered “No” to Question No. 17, skip Question No. 17(A), and proceed to Question No. 18.

QUESTION NO. 17(A): If you answered “Yes” to Question No. 17, how much do you award Knox Trailers in damages for each category below?

SOLICITING PLAINTIFFS’ EMPLOYEES AND CUSTOMERS TO LEAVE FOR A COMPETITOR:

\$ _____

SOLICITING PLAINTIFFS’ VENDORS TO LEAVE FOR A COMPETITOR:

\$ _____

Regardless of your answer to Question No. 17(A), proceed to Question No. 18.

QUESTION NO. 18: Do you find by a preponderance of the evidence that Titan Trailers engaged in unfair competition with Knox Trailers?

Yes: _____

No: X

If you answered “Yes” to Question No. 18, proceed to Question No. 18(A). If you answered “No” to Question No. 18, skip Question No. 18(A), and proceed to Question No. 19.

QUESTION NO. 18(A): If you answered “Yes” to Question No. 18, how much do you award Knox Trailers in damages for the category below?

SOLICITING PLAINTIFFS’ EMPLOYEES AND CUSTOMERS TO LEAVE FOR A COMPETITOR:

\$ _____

SOLICITING PLAINTIFFS’ VENDORS TO LEAVE FOR A COMPETITOR:

\$ _____

Regardless of your answer to Question No. 18(A), proceed to Question No. 19.

CIVIL CONSPIRACY- KNOX TRAILERS

QUESTION NO. 19: Do you find by a preponderance of the evidence that Billy Maples engaged in a civil conspiracy against Knox Trailers?

Yes: X

No: _____

If you answered "Yes" to Question No. 19, proceed to Question No. 19(A). If you answered "No" to Question No. 19, skip Questions No. 19(A), No. 19(B), and No. 19(C), and proceed to Question No. 20.

QUESTION NO. 19(A): Do you find by a preponderance of the evidence that Billy Maples engaged in a civil conspiracy against Knox Trailers to breach his fiduciary duty of loyalty?

Yes: X

No: _____

Regardless of your answer to Question No. 19(A), proceed to Question No. 19(B).

QUESTION NO. 19(B): Do you find by a preponderance of the evidence that Billy Maples engaged in a civil conspiracy against Knox Trailers to convert Knox Trailers' property?

Yes: _____

No: X

Regardless of your answer to Question No. 19(B), proceed to Question No. 19(C).

QUESTION NO. 19(C): Do you find by a preponderance of the evidence that Billy Maples engaged in a civil conspiracy against Knox Trailers to unfairly compete against it?

Yes: _____

No: X

Regardless of your answer to Question No. 19(C), proceed to Question No. 20.

QUESTION NO. 20: Do you find by a preponderance of the evidence that Titan Trailers engaged in a civil conspiracy against Knox Trailers?

Yes: _____

No: X _____

If you answered "Yes" to Question No. 20, proceed to Question No. 20(A). If you answered "No" to Question No. 20, skip Questions No. 20(A), No. 20(B), and No. 20(C), and proceed to Question No. 21.

QUESTION NO. 20(A): Do you find by a preponderance of the evidence that Titan Trailers engaged in a civil conspiracy against Knox Trailers to breach Billy Maples's fiduciary duty of loyalty?

Yes: _____

No: _____

Regardless of your answer to Question No. 20(A), proceed to Question No. 20(B).

QUESTION NO. 20(B): Do you find by a preponderance of the evidence that Titan Trailers engaged in a civil conspiracy against Knox Trailers to convert Knox Trailers' property?

Yes: _____

No: _____

Regardless of your answer to Question No. 20(B), proceed to Question No. 20(C).

QUESTION NO. 20(C): Do you find by a preponderance of the evidence that Titan Trailers engaged in a civil conspiracy against Knox Trailers to unfairly compete against it?

Yes: _____

No: _____

Regardless of your answer to Question No. 20(C), proceed to Question No. 21.

CIVIL CONSPIRACY- POST TRAILER

QUESTION NO. 21: Do you find by a preponderance of the evidence that Billy Maples engaged in a civil conspiracy against Post Trailer?

Yes: _____

No: X

If you answered "Yes" to Question No. 21, proceed to Question No. 21(A). If you answered "No" to Question No. 21, skip Questions No. 21(A), No. 21(B), and No. 21(C), and proceed to Question No. 22.

QUESTION NO. 21(A): Do you find by a preponderance of the evidence that Billy Maples engaged in a civil conspiracy against Post Trailer to breach his fiduciary duty of loyalty?

Yes: _____

No: _____

Regardless of your answer to Question No. 21(A), proceed to Question No. 21(B).

QUESTION NO. 21(B): Do you find by a preponderance of the evidence that Billy Maples engaged in a civil conspiracy against Post Trailer to convert Post Trailer's property?

Yes: _____

No: _____

Regardless of your answer to Question No. 21(B), proceed to Question No. 21(C).

QUESTION NO. 21(C): Do you find by a preponderance of the evidence that Billy Maples engaged in a civil conspiracy against Post Trailer to unfairly compete against it?

Yes: _____

No: _____

Regardless of your answer to Question No. 21(C), proceed to Question No. 22.

QUESTION NO. 22: Do you find by a preponderance of the evidence that Titan Trailers engaged in a civil conspiracy against Post Trailer?

Yes: _____

No: X _____

If you answered "Yes" to Question No. 22, proceed to Question No. 22(A). If you answered "No" to Question No. 22, skip Questions No. 22(A), No. 22(B), and No. 22(C), STOP and have the foreperson sign and date this form on the last page.

QUESTION NO. 22(A): Do you find by a preponderance of the evidence that Titan Trailers engaged in a civil conspiracy against Post Trailer to breach Billy Maples's fiduciary duty of loyalty?

Yes: _____

No: _____

Regardless of your answer to Question No. 22(A), proceed to Question No. 22(B).

QUESTION NO. 22(B): Do you find by a preponderance of the evidence that Titan Trailers engaged in a civil conspiracy against Post Trailer to convert Post Trailer's property?

Yes: _____

No: _____

Regardless of your answer to Question No. 22(B), proceed to Question No. 22(C).

QUESTION NO. 22(C): Do you find by a preponderance of the evidence that Titan Trailers engaged in a civil conspiracy against Post Trailer to unfairly compete against it?

Yes: _____

No: _____

Regardless of your answer to Question No. 22(C), STOP and have the foreperson sign and date this form on the last page.

Have the foreperson sign and date this form and return it to the court officer.



FOREPERSON

DATE

11 / 1 / 22